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FACSIMILE NO. : 703-872-9306

FROM : Gary J. Gershik

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U.S. Serial No.: 09/508,979, filed May 10, 2000

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Docket No. 72243-A-PCT-US/JPW/GJG

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentees : Thomas J. Higgins et al.
Serial No. : 09/508,979 Examiner: C. Collins
Filed : May 10, 2000 Art Unit: 1638
For : METHOD FOR ALTERING STORAGE ORGAN
COMPOSITION

1185 Avenue of the Americas
New York, New York 10036
April 26, 2005

BY FACSIMILE 703-872-9306

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

FACSIMILE CERTIFICATE OF TRANSMISSION
IN CONNECTION WITH THE ABOVE-IDENTIFIED APPLICATION

Date of Facsimile: April 26, 2005. I hereby certify that this paper is being transmitted to the United States Patent and Trademark Office on the date indicated above by facsimile and is addressed to Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Susan Kotas
Printed Name: Susan Kotas

Respectfully submitted,

Gary J. Gershik
John P. White
Registration No. 28,678
Gary J. Gershik
Registration No. 39,992
Attorneys for Applicants
Cooper & Dunham LLP
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Docket No. 72243-A-PCT-US/JPW/GJG

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New York, New York 10036
April 26, 2005

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR APPLICATION TO ISSUE IN
THE NAME OF ASSIGNEES UNDER 37 C.F.R. §3.81(b)

Applicants hereby request that the above-identified application be issued in the name of the assignees pursuant to 37 C.F.R. §3.81(b). Specifically, applicants request that the subject application be issued to:

Commonwealth Scientific And Industrial Research
Organisation, Campbell, Australia,
and
Grains Research and Development Corporation, Barton,
Australia.

Applicants : Thomas J. Higgins et al.
Serial No. : 09/508,979
Filed : May 10, 2000
Page : 2

37 C.F.R. §3.81(b) provides that an application may issue in the names of the assignees consistent with the application's assignment where a request for such issuance along with the processing fee set forth in § 1.17(i) of this chapter is submitted after the date of payment of the issue fee, but prior to issuance of the patent, provided the assignment has been previously recorded in the Office.

The fee for this Request as set forth in 37 U.S.C. §1.17(i) is \$130.00 and the undersigned hereby authorizes the Commissioner to charge this fee to Deposit Account No. 03-3125.

The issue fee for the subject application was paid April 4, 2005, but a patent has not yet issued. On the form PTOL-85 accompanying the issue fee applicants' representative inadvertently indicated that only Commonwealth Scientific Industrial Research Organisation was the assignee. However, as noted above and as indicated by the assignment recorded in connection with the subject application, both, Commonwealth Scientific Industrial Research Organisation and Grains Research and Development Corporation are assignees of the subject application and should appear on the front of the patent once issued. In support, applicants attach as **Exhibit A** a copy of the recorded assignment from the three inventors of the subject application to both, Commonwealth Scientific Industrial Research Organisation and Grains Research and Development Corporation.

If a telephone interview would be of assistance in advancing the issuance of the patent to both assignees, applicants' patentees' assignees' undersigned attorneys invite the Commissioner to telephone them at the number provided below.

Applicants : Thomas J. Higgins et al.
Serial No. : 09/508, 979
Filed : May 10, 2000
Page : 3

No fee, other than the \$130.00, is deemed necessary in connection with the filing of this Request. However, if any other fee is deemed necessary, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

Gary J. Gershik

John P. White

Registration No. 28,678

Gary J. Gershik

Registration No. 39,992

Attorneys for Applicants

Cooper & Dunham LLP

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EXHIBIT A

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ASSIGNOR:
HIGGINS, THOMAS J.

DOC DATE: 04/06/2000

ASSIGNOR:
TABE, LINDA M.

DOC DATE: 04/06/2000

ASSIGNOR:
SCHROEDER, HARTMUT E.

DOC DATE: 04/06/2000

ASSIGNEE:
COMMONWEALTH SCIENTIFIC AND
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011200/0992 PAGE 2

ASSIGNEE:
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CORPORATION
1ST FLOOR, 40 BLACKALL STREET
BARTON, AUSTRALIAN CAPITAL
TERRITORY
AUSTRALIA
2600

SERIAL NUMBER: 09508979
PATENT NUMBER:

FILING DATE: 05/10/2000
ISSUE DATE:

SONYA JOHNSON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

ASSIGNMENT

WHEREAS, I/we (1) Thomas Joseph HIGGINS
Irish citizen, residing at 71 Banambila Street, Aranda, Australian Capital Territory, 2614, Australia
(2) Linda Marie TABE
Australian citizen, residing at 38 George Street, Captains Flat, New South Wales, 2023, Australia
(3) Hartmut Erwin SCHROEDER
Australian citizen, residing at 26 Bremner Street, Hackett, Australian Capital Territory, 2602, Australia

hereinafter referred to as Assignor (collectively if more than one inventor is listed above), have invented certain new and useful improvements in METHOD FOR ALTERING STORAGE ORGAN COMPOSITION, the specification of which:

- (a) was executed on even date herewith;
- (b) was filed on 17 March, 2000 as Application No. 09 508,979 or Express Mail No. as Application No. not yet known _____ and was amended on _____ (if applicable); or
- (c) was described and claimed in PCT International Application No. _____ filed on _____ 2nd as amended under PCT Article 19 or (if any) and/or under PCT Article 34 on _____ (if any).

COMMONWEALTH SCIENTIFIC AND INDUSTRIAL RESEARCH ORGANISATION and
AND WHEREAS, GRAINS RESEARCH AND DEVELOPMENT CORPORATION,
with its principal place of business at Limestone Avenue, Campbell, Australian Capital Territory, 2601 Australia; and 1st Floor, 40 Blackall Street, Barton, Australian Capital Territory, 2601 (hereinafter referred to as Assignee) desires to acquire the entire right, title, and interest in and to the said improvements with Australia, respect to the United States of America, its territories and possessions.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby acknowledges that it has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto Assignee, its successors, legal representatives and assigns, the entire right, title, and interest in the United States of America, and its territories and possessions in, to and under said improvements, and any Patent Applications in the United States of America and all divisions, renewals and continuations thereof, and all Patents of the United States of America which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions; and Assignor hereby authorizes and requests the Commissioner of Patents of the United States of America to issue all Patents for said improvements to Assignee, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND ASSIGNOR HEREBY covenants and agrees that it will communicate to Assignee, its successors, legal representatives and assigns, any facts known to it respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in the United States of America.

IN TESTIMONY WHEREOF, Assignor intending to be legally bound has hereunto affixed its signature.

This 6 day of April, 2000


Signature of Thomas Joseph HIGGINS

This 6 day of April, 2000


Signature of Linda Marie TABE

This 6 day of April, 2000


Signature of Hartmut Erwin SCHROEDER

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